

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA

UNITED STATES OF AMERICA,

**Plaintiff,**

V.

DEVAN LEE KLUGE,  
Defendant.

Case No. MJ21-5040

## DETENTION ORDER

THE COURT accepts the stipulation to detention, without prejudice, offered by the defense and agreed to by the Government, and also finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of the defendant as required and/or the safety of any other person and the community.

This finding is based on 1) the nature and circumstances of the offense(s) charged, 2) the weight of the evidence against the person; 3) the history and characteristics of the person; and 4) the nature and seriousness of the danger release would impose to any person or the community.

## *Findings of Fact/ Statement of Reasons for Detention*

Danger to the community, which the Pretrial Services Report (Dkt. 9) shows by clear and convincing evidence, based on repeated violent criminal conduct in criminal history; and allegations concerning possession of explosive devices in the Complaint (Dkt. 1) concerning the current offense.

Risk of failure to appear, and risk of flight, based on absconding from supervision between December 8, 2020 and December 24, 2020, along with multiple failures

1 to appear, and another incident where he absconded from supervision in state  
2 court, as shown by a preponderance of the evidence by information contained in  
3 the Pretrial Services Report (Dkt. 9), and the Supplemental Pretrial Services  
4 Report.

5  
6 And, criminal history of committing new offenses while on supervision, and an  
7 ongoing restraining order in state court, shows the defendant would be a danger  
8 to the community and to specific persons if released, also shown by clear and  
9 convincing evidence in the Pretrial Services Report (Dkt. 9) and the Supplemental  
10 Pretrial Services Report.

11  
12 This order is entered without prejudice; the defendant may make a motion in the  
13 future for a detention review hearing.

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16  
17 ***Order of Detention***

18 < **The defendant shall be committed to the custody of the Attorney General for**  
19 **confinement in a corrections facility separate, to the extent practicable, from**  
20 **persons awaiting or serving sentences or being held in custody pending**  
21 **appeal.**

22 < **The defendant shall be afforded reasonable opportunity for private**  
23 **consultation with counsel.**

The defendant shall on order of a court of the United States or on request of an attorney for the Government, be delivered to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

March 4, 2021

Theresa L. Fritke

**Theresa L. Fricke**  
**United States Magistrate Judge**